

April 2, 1999

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Mr. Al McCloud
Network Service Division
Federal Communications Commission
2000 M Street, N.W., Room 235
Washington, D.C. 20554

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APR - 8 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Rec'd NSD
Apr 7, 1999
REM

Re: File No. NSD-L-98-21

Dear Mr. McCloud:

CC DOCKET 96-98

Attached you will find my comments regarding the merits of the Petition submitted by the New York State Department of Public Service ("NYDPS") requesting authorization to implement various number conservation measures. I am retired and these comments reflect my views alone.

As you will note, I believe that the Petition has merit and should be granted. The consumers in the affected NPAs should benefit from conservation measures being implemented as soon as possible. In addition, the state effort should provide the Commission with insights that will assist it in formulating and refining national number conservation standards. In granting the Petition, the NYDPS should be required to file information that the Common Carrier Bureau believes will be of value in connection with the ongoing Commission efforts to achieve highly efficient number utilization throughout the country.

Thank you for the opportunity to file these comments. If there are any questions regarding this submission, my telephone number is (612) 422-8922 and my e-mail address is BellH8922@aol.com.

Very truly yours,

Howard Bell

Howard Bell

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**COMMENTS REGARDING A PETITION FILED BY THE
NEW YORK STATE
DEPARTMENT OF PUBLIC SERVICE**

File No. NSD-L-98-21

Submitted by:

Howard Bell
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INTRODUCTION

The need for new area codes ("NPAs") has accelerated in recent years. In the absence of improved utilization of numbering resources (i.e., individual telephone numbers (ITNs), central office codes or NXXs, etc.), this trend is apt to continue, if not worsen. Greater efficiency in the utilization of number resources, on the other hand, may make it possible to slow the growth in demand for new NPAs. Any success that can be realized in slowing the demand for new NPAs by extending the functional life of existing NPAs holds forth the promise of reducing customer confusion and saving money for both service providers and consumers.

The current rapid consumption of numbering resources can be traced to a number of factors including:

- The development of the information age which, coupled with the current period of economic prosperity, has greatly increased the demand for numbers to be used with: second lines, FAX machines, cellular phones, pagers, modems, etc.
- The introduction of competitive local exchange carriers ("CLECs") has also increased the use of NXX codes.
- The presence of multiple rate centers in NPAs can also adversely impact the efficient use of number resources.

As discussed in the North American Numbering Council's Number Resource Optimization ("NRO") report, there are a number of conservation approaches which appear to offer assistance in achieving greater efficiency in the use of number resources. Unfortunately, none of the potential relief vehicles will provide a miracle cure to the problem of number utilization. Furthermore, in the case of some potential number

conservation techniques it is not at all clear that there exists an optimal one size fits all approach that should be uniformly applied in every jurisdiction. In addition, various affected entities (e.g., consumer groups, incumbent LECs, and new entrants) often disagree in their assessment of the effectiveness and practicality of various number conservation approaches. Further experience in working with these various approaches in real world applications should provide the FCC with valuable insights as to the relative merits of the various number conservation approaches. This should provide a stronger basis for developing national standards. The current lack of agreement regarding the merits of various techniques and the lack of actual experience with a number of approaches strongly suggest that it is desirable for the FCC ("Commission") to encourage experimentation at the state level. This should be done however, with the understanding that in some cases changes may need to be made to comply with national standards in the future. Experimentation at the state level appears consistent with the Commission's statement in its September 28, 1998 Order FCC 98-224 in CC Docket No. 96-98 that *"We also delegate authority to the Chief, Common Carrier Bureau, to delegate additional authority for state commissions to implement innovative or experimental number conservation efforts."*

In this proceeding, the New York State Department of Public Service ("NYDPS") has filed a petition requesting additional authority to implement Number Conservation Measures. Among other things, the NYDPS cited the increasing rate of number assignment, probable number exhaust situations, and the need for replacing current inefficient number assignment procedures as justification for allowing it implement number conservation measures and to explore alternatives to current number assignment procedures.

The NYDPS should also be uniquely situated at this juncture to adopt and enforce number assignment standards for use with the pooling/porting technique(s) that are implemented.

It would appear that the public interest would be best served by granting the NYDPS petition. One provision should be included in granting the NYDPS petition. That provision is that the NYDPS and the Common Carrier Bureau should agree upon the data to be collected concerning the conservation measures that are implemented in New York NPAs. There should also be a schedule established for the filing of interim reports and a final report regarding the effectiveness and practicality of the various number conservation practices that were included in the program. The final report should also provide an analysis of how the number conservation practices were implemented and whether changes in implementation practices could be made that would facilitate subsequent implementation in other jurisdictions.

CONCLUSION

The Commission should grant the NYDPS petition and establish reporting requirements that would enable it to monitor the lessons to be learned from the New York number conservation efforts. The benefits from such an approach would be many. They would include direct benefits to consumers and service providers in the affected area. The earlier implementation made possible by granting the NYDPS petition could also increase the magnitude of the benefits attainable from a number of number conservation approaches. Valuable empirical knowledge could also be obtained that would materially assist Commission efforts to have uniform national standards. Among other things, it would establish a better basis for developing and/or revising these national standards.

DISCUSSION

In its petition, the NYDPS specifically requested delegated authority to:

- (1) implement mandatory thousand block pooling trials;
- (2) explore options for implementing individual telephone number (ITN) pooling and establishing ITN pooling trials where technologically feasible; and
- (3) implement interim unassigned number porting.

The NYDPS also requested delegated authority to adopt and enforce number assignment standards including:

- (1) "fill rates";
- (2) NXX code reclamation procedures;
- (3) utilization surveys;
- (4) NXX code rationing;
- (5) enforcement; and
- (6) auditing.

Thousand-block pooling has been shown to be effective in conserving number resources during the course of the 847 NPA number pooling trial in Illinois. Granting the NYDPS petition could accelerate the date at which thousand block pooling could be implemented and that in turn would be likely to enhance its effectiveness. This should benefit many consumers. Individual telephone number ("ITN") pooling and unassigned number porting ("UNP") have not been implemented to date but appear to be technically feasible. If either ITN or UNP are deemed practical for implementation, the NYDPS should be uniquely situated at this time to determine the procedure(s) most likely to benefit customers and service providers in NPAs within their jurisdiction.